



DFW

TRANSMITTAL FORM

(for all correspondence after initial filing)

Total number of pages in this submission =

Application #	10/767,008
Confirmation #	5026
Filing Date	January 30, 2004
First Inventor	NINOMIYA
Art Unit	3711
Examiner	Hunter, Alvin A.
Docket #	P07838US01/MP

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fees calculated below	<input type="checkbox"/> Response to Missing Parts/Incomplete Appl.
<input checked="" type="checkbox"/> Response and Third Preliminary Amendment	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> including Attachments	<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> A (remarks) & B (claims)	<input type="checkbox"/> Drawing(s)
<input type="checkbox"/> After Final Amendment/Reply	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> including Attachment(s)	<input type="checkbox"/>
<input type="checkbox"/> Extension of Time Petition	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

FEES CALCULATION: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
TOTAL CLAIMS	7	20		X \$ 50 =	
INDEP. CLAIMS	1	3		X \$ 200 =	
TOTAL OF ABOVE CLAIMS FEES =					
Reduction by ½ for small entity status of applicant					
Fee for extension of time (per attached Petition)					SUBTOTAL =
Other fee for					
TOTAL OF ALL FEES =					0

A CREDIT CARD PAYMENT FORM (PTO-2038) in the amount of \$0 is enclosed.

The Commissioner is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:

(1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
 (2) if no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: February 1, 2005

By: Marvin Petry
 Registration No.: 22752

 STITES & HARBISON PLLC • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314
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**RESPONSE AND THIRD
PRELIMINARY AMENDMENT**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

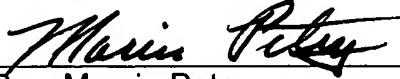
In response to the Restriction Requirement dated January 5, 2005, please consider the responsive **Remarks** provided herewith in **Attachment A**, and please amend the above identified application as follows:

- **Amendments to the Claims** are reflected in the listing of the claims provided herewith in **Attachment B**.

In view of the amendments made and the remarks provided, it is submitted that the present application is in condition for allowance.

Respectfully submitted,

Date: February 1, 2005


By: Marvin Petry
Registration No.: 22752

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